

EXHIBIT D

ORIGINAL

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Attorneys for Plaintiff
CINEBASE SOFTWARE, INC.

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CINEBASE SOFTWARE, INC., a California
corporation,

Plaintiff,

vs.

MEDIA GUARANTY TRUST, INC., a Delaware
corporation; ALLEN L. BROWN, JR., an individual;
NATALIA X. KROL, an individual, JOSEPH
ROSENFELD, an individual, THOMAS WILLS, an
individual, CARL REISINGER, an individual and
KATHERINE TOPPER, an individual,

Defendants.

Case No. C 98-1100 FMS

**NOTICE OF ERRATA RE: FIRST
AMENDED COMPLAINT FOR
INJUNCTIVE RELIEF AND
DAMAGES**

FILED
AUG 10 1998
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA

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1 TO THE HONORABLE COURT, DEFENDANTS, AND DEFENDANTS' COUNSEL
2 OF RECORD, AND ALL OTHER INTERESTED PARTIES:

3 PLEASE TAKE NOTICE that Plaintiff Cinebase Software, Inc.'s First Amended
4 Complaint for Injunctive Relief and Damages, filed with the Court on June 10, 1998 should read as
5 follows:

6 A. Paragraph 70 (at page 17, lines 9-13) of the Complaint, which reads:

7 To the extent that any part of Cinebase's Intellectual Property,
8 including its software architecture, source codes, object codes, and
9 related design documents consists of ideas which are not novel and
10 vague and are within the subject matter of copyright under 17 U.S.C. §
11 102 (the "Protectable Ideas"), the Individual Defendants
12 misappropriated such Protectable Ideas for their own use and in breach
13 of their legal duties to Cinebase.

14 should read:

15 To the extent that any part of Cinebase's Intellectual Property,
16 including its software architecture, source codes, object codes, and
17 related design documents consists of ideas which are novel and unique
18 and are not within the subject matter of copyright under 17 U.S.C. §
19 102 (the "Protectable Ideas"), the Individual Defendants
20 misappropriated such Protectable Ideas for their own use and in breach
21 of their legal duties to Cinebase.

22 B. Paragraph 56 (at page 14, lines 25 to 27) of the First Amended Complaint, which reads:

23 Cinebase is informed and believes and therefore alleges that Defendants have
24 infringed Cinebase's rights in and to the Copyrighted Works and that Cinebase's
25 product is identical or substantially similar, in whole or in part, to Cinebase's
26 Copyrighted Works.

27 should read:

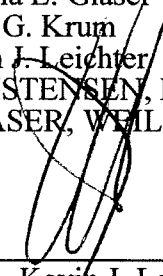
28 ///

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Cinebase is informed and believes and therefore alleges that Defendants have infringed Cinebase's rights in and to the Copyrighted Works and that Media Guaranty's product is identical or substantially similar, in whole or in part, to Cinebase's Copyrighted Works.

Date: August 7, 1998

Patricia L. Glaser
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By 
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PROOF OF SERVICE

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California; I am over the age of 18 and not a party to the within action; my business address is 2121 Avenue of the Stars, 18th Floor, Los Angeles, California 90067.

On August 9, 1998, at the direction of a member of the Bar of this Court, I served the within:

**NOTICE OF ERRATA RE: FIRST AMENDED COMPLAINT FOR INJUNCTIVE
RELIEF AND DAMAGES**

on the interested parties in this action, by delivering a copy thereof in a sealed envelope addressed to each of said interested parties at the following address(es):

Douglas E. Lumish
Jared Bobrow
Weil, Gotshal & Manges, LLP
2882 Sand Hill Road, Suite 280
Menlo Park, CA 94025-7022

☒ (BY MAIL) I am readily familiar with the business practice for collection and processing of correspondence for mailing with the United States Postal Service. This correspondence shall be deposited with the United States Postal Service this same day in the ordinary course of business at our Firm's office address in Los Angeles, California. Service made pursuant to this paragraph, upon motion of a party served, shall be presumed invalid if the postal cancellation date of postage meter date on the envelope is more than one day after the date of deposit for mailing contained in this affidavit.

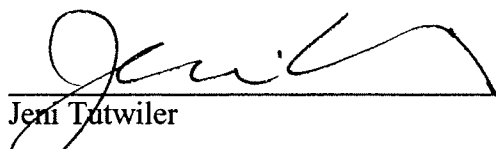
(BY OVERNIGHT DELIVERY SERVICE) I served the foregoing document by Federal Express, an express service carrier which provides overnight delivery, as follows. I placed true copies of the foregoing document in sealed envelopes or packages designated by the express service carrier, addressed to each interested party as set forth above, with fees for overnight delivery paid or provided for..

☐ (BY PERSONAL SERVICE) I caused such envelope to be delivered by hand to the offices of the above named addressee(s).

☐ (BY FACSIMILE) I caused such documents to be delivered via facsimile to the offices of the addressee(s) at the following facsimile number: .

Executed this 9th day of August, 1998, at Los Angeles, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.


Jeni Tutwiler

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